

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

TERRELL MANUEL, et al.,
for themselves and on
behalf of all similarly
situated,

Plaintiffs,

v.

Civil Action No. 3:14cv238

WELLS FARGO BANK,
NATIONAL ASSOCIATION,

Defendant.

ORDER

Having considered the DEFENDANT'S MOTION TO STAY LITIGATION (Docket No. 87), the supporting, opposing and reply briefs, the motion is denied because the interest of judicial economy will not be served by a stay at this stage of the proceedings given that the issues pending before the Supreme Court of the United States in Robins v. Spokeo, Inc., 742 F.3d 409 (9th Cir. 2014), *cert. granted*, 82 U.S.L.W. 3689 (U.S. Apr. 27, 2015) (No. 13-1339) will not resolve in this case which are, in many respects, considerably different than those that are before the Supreme Court of the United States; and because the hardship to Wells Fargo Bank, National Association has not been shown to be substantial being supported, as it is, by the conclusory assertion that Wells Fargo Bank, National Association "might be forced to expend substantial time and needless expense

during the post-class certification phase of the case;" and considering that the plaintiffs will be prejudiced by a delay in adjudicating rather clearly established rights; and because the defendant has not made out a clear case of hardship or inequity if it is required to go forward.

There may come a time when it is appropriate to stay the case, but clearly it is not appropriate to do so now and certainly upon the skimpy showing made by the defendant here.

It is further ORDERED that the facts and legal contentions are adequately presented in the materials before the Court and oral argument would not aid the decisional process.

It is so ORDERED.

_____/s/ *REP*_____
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: August 17, 2015